

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED *for*
RK
SEP 25 2007
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BY: *HMcDonado*
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BENJAMIN ALEXANDER POTTS)	
Plaintiff,)	Civil Action No. 7:07-cv-00438
)	
v.)	<u>ORDER</u>
)	
FEDERAL BUREAU OF PRISONS,)	By: Hon. Jackson L. Kiser
Defendant.)	Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

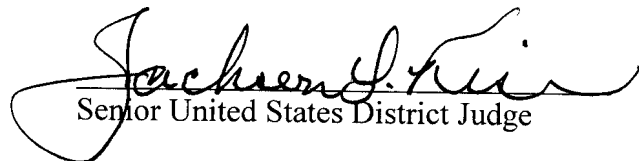
ADJUDGED and ORDERED

that this action is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim upon which the court may grant relief. Plaintiff's request for a writ of mandamus is **DENIED** and this case is hereby **STRICKEN** from the active docket of the court.

Plaintiff is advised that he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Civil Procedure by filing a notice of appeal with this court within thirty (30) days of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5) or 4(a)(6).

The Clerk of the Court is directed to send copies of this Order and accompanying Memorandum Opinion to Plaintiff.

ENTER: This 25th of September, 2007.


Senior United States District Judge